

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

ROOSEVELT BUSSEY,

Plaintiff,

v.

**9:10-CV-1021
NAM/DEP**

CHRISTOPHER MAYER,

Defendant.

APPEARANCES:

OF COUNSEL:

Roosevelt Bussey
09-A-0782
Clinton Correctional Facility
P.O. Box 2002
Dannemora, NY 12929
Plaintiff, *pro se*

HON. ERIC T. SCHNEIDERMAN
Attorney General of the State of New York
The Capitol
Albany, New York 12224
Counsel for Defendant

JUSTIN C. LEVIN, ESQ
Assistant Attorney General

NORMAN A. MORDUE, U. S. DISTRICT JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge David E. Peebles, duly filed on the 4th day of February 2013. Following fourteen (14) days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. The defendant Mayer's motion for summary judgment (Dkt. No. 41)¹ is granted, and plaintiff's complaint is dismissed in all respects.
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: February 26, 2013
Syracuse, New York



Honorable Norman A. Mordue
U.S. District Judge

¹ On reviewing the Report Recommendation, the Court notes a typographical error in the RECOMMENDED paragraph dismissing Dkt. No. 43, the supporting documents filed under seal in support of defendant Mayer's summary judgment motion (Dkt. No. 41).